

FEBRUARY 6, 2012
Regular Council Meeting Minutes
Parma City Council Chambers
7:25 PM

The Regular Council Meeting was called to order by President of Council Sean P. Brennan presiding:

COUNCIL MEMBERS PRESENT:

BRIAN BROCHETTI
MARK CASSELBERRY
BRIAN DAY
ALLAN DIVIS
MARY GALINAS
ROY J. JECH
DEBORAH LIME
LARRY NAPOLI
SCOTT M. TUMA

Mr. Ramser – Mr. President, the Roll of Council has been called and I find a quorum of Council members present. The following officials and department heads were also present: Mayor Tim DeGeeter, Law Director Timothy G. Dobeck, Auditor Dennis M. Kish, Treasurer Tom Mastroianni, Service Director Brian Higgins, Safety Director Gregory Baeppler, Building Commissioner/City Engineer Paul Deichmann, Communications and Community Relations Director Jeannie Roberts, Recreation Commissioner Mickey Vittardi, Senior Citizen Director Jo Ann Mason, Chief of Staff Michael Culp, Economic Development Officer/Grant Writer Shelley Cullins, Director of Public Housing Lev Kulchytsky, and Clerk of Council Kenneth Ramser.

INVOCATION

The Invocation was given this evening by Clerk of Council Ken Ramser.

PLEDGE OF ALLEGIANCE

LEGISLATIVE COMMENT

Mr. Brennan – Asked if anyone from the public would like to comment on any legislation that Council will be taking final action on tonight. No one wished to speak.

VOICE VOTE:

RESOLUTION NO. 12-12 2/6/12 L-12-12

By: All of Council

A RESOLUTION HONORING DR. PATRICIA ROWELL, CUYAHOGA COMMUNITY COLLEGE, PARMA AREA CHAMBER OF COMMERCE PRIDE AWARD – INDIVIDUAL 2012

RESOLUTION NO. 13-12 2/6/12 L-13-12

By: All of Council

A RESOLUTION HONORING PARMA AREA MORNING KIWANIS, PARMA AREA CHAMBER OF COMMERCE PRIDE AWARD – ORGANIZATION – 2012

RESOLUTION NO. 14-12 2/6/12 L-14-12

By: All of Council

A RESOLUTION HONORING DEAN DEPIERO'S CHARITY RUN/WALK, INC., PARMA AREA CHAMBER OF COMMERCE PRIDE AWARD – EVENT – 2012

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution No. 12-12, Resolution No. 13-12, and Resolution No. 14-12. Motion carried. These three Resolutions were adopted. These Resolutions were presented at the Chamber Ball.

RESOLUTION NO. 16-12 2/6/12 L-16-12

By: Mary Galinas

A RESOLUTION HONORING WALTER SCOTT, CITIZEN OF THE MONTH OF
JANUARY, 2012

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution No. 16-12. Motion carried. Resolution No. 16-12 is adopted.

Councilwoman Galinas presented the resolution and Mayor DeGeeter presented him a Proclamation, with similar awards given by the Law Director and Treasurer.

RESOLUTION NO. 17-12 2/6/12 L-17-12

By: Brian Brochetti

A RESOLUTION CONGRATULATING TROY TOMASELLO FOR COMPETING IN
THE 2012 U.S. FIGURE SKATING CHAMPIONSHIPS

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution No. 17-12. Motion carried. Resolution No. 17-12 is adopted. Councilman Brochetti and Mayor DeGeeter presented him with the Resolution and a Proclamation, with similar awards given by the Law Director and Treasurer.

RESOLUTION NO. 18-12 2/6/12 L-18-12

By: Brian Brochetti

A RESOLUTION CONGRATULATING NATHAN TOMASELLO ON HIS SUCCESSFUL
WRESTLING CAREER

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution No. 18-12. Motion carried. Resolution No. 18-12 is adopted. Councilman Brochetti and Mayor DeGeeter presented him with the Resolution and a Proclamation, with similar awards given by the Law Director and Treasurer.

DISPOSAL OF THE JOURNAL

Mr. Brennan – Stated, we have the Minutes from the Regular Council Meeting of January 17, 2012. He asked if there were any additions or corrections to these Minutes. Stated, hearing none, the Minutes will stand approved as printed.

COMMUNICATIONS, PETITIONS, AND CLAIMS

Notice to Legislative Authorities from the Ohio Division of Liquor Control regarding a new C1-C2 license for Serina LLC 5337 Broadview Road, Parma, OH 44134. Mailed on 1/30/12. Responses must be postmarked no later than 3/1/2012.

Mr. Brennan – Said Liquor Permit shall be referred to the Safety Director and Ward Council.

Council is in receipt of the 2011 Parma Recreation Year End Report.

Mr. Brennan – Said Year End Report will be filed in the Council Office.

Council is in receipt of the 2011 Annual Report from the Offices of the City Law Director.

Mr. Brennan – Said Year End Report will be filed in the Council Office.

AMENDMENT TO THE CALENDAR

Motion made by Councilman Jech, seconded by Councilman Day, to amend the Calendar by adding Resolution No. 24-12 and Resolution No. 25-12 to Suspension of the Rules. Motion carried.

FIRST READING:

RESOLUTION NO. 295-11

2/6/12

L-295-11

By: M. Galinas

A RESOLUTION REQUESTING THE MAYOR TO HAVE THE STATE OF OHIO
AUDITOR'S OFFICE CONDUCT A STATE PERFORMANCE AUDIT FOR THE
CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Brennan – Said Resolution will be referred to the Finance Committee.

ORDINANCE NO. 11-12

2/6/12

L-11-12

By: R.J. Jech, M. Galinas
(By Request – Recreation Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC
SERVICE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE
CITY OF SEVEN HILLS FOR SHARED RECREATION FACILITIES, AND DECLARING
AN EMERGENCY

Mr. Brennan – Said Ordinance will be referred to the Public Service Committee.

RESOLUTION NO. 19-12

2/6/12

L-19-12

By: S.M. Tuma, M. Galinas, D. Lime
(By Request – City Engineer)

A RESOLUTION REQUESTING CUYAHOGA COUNTY TO PROCEED WITH THE
REPAIR AND RESURFACING OF SNOW ROAD FROM WEST 130TH STREET TO
RIDGE ROAD RESOLVING TO PAY ONE HUNDRED PERCENT (100%) OF THE
COSTS FOR THE CONSTRUCTION AND CONSTRUCTION ENGINEERING OF THE
REPLACEMENT OF DETERIORATED DRIVE APRONS AND DECLARING AN
EMERGENCY

Mr. Brennan – Said Resolution will be referred to the Public Service Committee.

ORDINANCE NO. 23-12

2/6/12

L-23-12

By: B. Day
(By Request – Law Director)

AN ORDINANCE TO AMEND SUBSECTIONS (a) AND (d) OF SECTION 698.04
"ORGANIZATIONAL PENALTIES" OF THE CODIFIED ORDINANCES OF THE
CITY OF PARMA AND DECLARING AN EMERGENCY

Mr. Brennan – Said Ordinance will be referred to the Public Safety Committee.

SECOND READING:

ORDINANCE NO. 1-12

1/17/12

L-1-12

By: A. Divis
(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC

SERVICE TO GRANT WRITTEN PERMISSION TO THE CUYAHOGA COUNTY PUBLIC LIBRARY AND ITS BOARD OF TRUSTEES TO ENTER INTO A SUB-LEASE ARRANGEMENT WITH PARMA COMMUNITY GENERAL HOSPITAL FOR THE USE OF SPACE IN THE STRUCTURE CURRENTLY KNOWN AS THE PARMA-SOUTH BRANCH, 7335 RIDGE ROAD IN THE CITY OF PARMA AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to refer Ordinance No. 1-12 back to the Finance Committee. Motion carried. (This was precipitated by Councilwoman Lime, Councilman Tuma, and Councilman Casselberry wanting to re-adjust their streets slightly.)

SECOND READING SUSPENSION OF THE RULES:

ORDINANCE NO. 6-12

1/17/12

L-6-12

By: S.M. Tuma, M. Casselberry, R.J. Jech, D. Lime, L. Napoli, B. Day
(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH A SUPPLIER FOR THE PROVISION OF ELECTRICITY FOR THE PARMA JUSTICE CENTER AND THE MICHAEL A. RIES ICE SKATING RINK WHICH ARE NOT INCLUDED IN THE CITY OF PARMA ELECTRIC AGGREGATION PROGRAM AND DECLARING AN EMERGENCY

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 6-12 on three different days be dispensed with?

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli, Tuma.

No: None; motion carried.

Motion made by Councilman Jech, seconded by Councilman Day to amend Ordinance No. 6-12 by inserting in the blank in Section 1 "First Energy Solutions", and attaching Exhibit A". Motion carried.

Motion made by Councilman Jech, seconded by Councilman Day to adopt amended Ordinance No. 6-12.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli, Tuma.

No: None; motion carried. Amended Ordinance No. 6-12 is adopted.

THIRD READING:

ORDINANCE NO. 142-11

6/6/11

L-142-11

By: R.J. Jech
(By Request – Mayor)

AN ORDINANCE TO AMEND SECTIONS 105.02 TO 105.11 OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA RELATING TO THE SUBDIVISION OF THE CITY OF PARMA INTO NINE WARDS, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Brochetti to refer Ordinance No. 142-11 back to the Governmental Operations Committee. Motion carried.

SUSPENSION OF THE RULES:

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 20-12, Ordinance No. 21-12, Resolution No. 22-12, Resolution No. 24-12 and Resolution No. 25-12 on three different days be dispensed with?

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli, Tuma.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Resolution No. 20-12, Ordinance No. 21-12, Resolution No. 22-12, Resolution No. 24-12 and Resolution No. 25-12 be placed on final passage?

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli, Tuma.

No: None; motion carried.

RESOLUTION NO. 20-12

2/6/12

L-20-12

By: S.M. Tuma

(By Request- Auditor)

A RESOLUTION PERMITTING THE CITY AUDITOR, OR THE BOARD OR OFFICER HAVING SUPERVISION OR MANAGEMENT OF THE PROPERTY, TO UTILIZE THE INTERNET AUCTION FOR SURPLUS ITEMS IN THE 2012 CALENDAR YEAR, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution No. 20-12.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli, Tuma.

No: None; motion carried. Resolution No. 20-12 is adopted.

ORDINANCE NO. 21-12

2/6/12

L-21-12

By: S.M. Tuma

(By Request – Auditor)

AN ORDINANCE TO AMEND THE 2012 TEMPORARY APPROPRIATIONS OF THE CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Ordinance No. 21-12.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli, Tuma.

No: None; motion carried. Ordinance No. 21-12 is adopted.

RESOLUTION NO. 22-12

2/6/12

L-22-12

By: S.M. Tuma

(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S POST CERTIFICATION OF REQUISITIONS AS DETAILED IN EXHIBIT "A", AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution No. 22-12.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli, Tuma.

No: None; motion carried. Resolution No. 22-12 is adopted.

RESOLUTION NO. 24-12

2/6/12

L-24-12

BY: R.J. Jech, B. Brochetti, M. Casselberry, A. Divis, B. Day, D. Lime, L. Napoli, S. Tuma

A RESOLUTION IN OPPOSITION OF OHIO HOUSE BILL 194 WHICH IS KNOWN AS AN UNFAIR VOTER SUPPRESSION BILL AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution No. 24-12.

Yes: Brochetti, Casselberry, Day, Divis, Jech, Lime, Napoli, Tuma.

No: Galinas; motion carried. Resolution No. 24-12 is adopted.

*Galinas – Stated that she could not vote on it yet because she had no time to read it. She would have preferred to abstain or have this brought to committee until she could do so. There was no second to her motion to refer it to committee.

RESOLUTION NO. 25-12

2/6/12

L-25-12

BY: M. Galinas, B. Brochetti, M. Casselberry, B. Day, R.J. Jech, D. Lime, L. Napoli, S. Tuma

A RESOLUTION IN SUPPORT OF "AMERICAN HEART MONTH" DESIGNATED AS
THE MONTH OF FEBRUARY, 2012, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution No. 25-12.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Jech, Lime, Napoli, Tuma.

No: None; motion carried. Resolution No. 25-12 is adopted.

APPOINTMENTS AND CONFIRMATIONS

Motion made by Councilman Casselberry, seconded by Councilwoman Galinas to make the following appointment. "Mr. Chairman, the Appointment Scanning Committee met to discuss the re-appointment to the Municipal Income Tax Board of Review: Salvatore Talarico, whose term expired 1/9/2012. If approved, Mr. Talarico will have a three year re-appointment to expire on 1/9/2015". Motion carried and Mr. Talarico is reappointed.

PUBLIC SESSION

Mrs. Dolores Drabe, 7696 Cecilia Drive: Commended on the Charter. Deer and coyote comments.

Mr. Ken Ehlert: Commended to the two young boys who received the resolutions. Charter comments. (Charter needed)

Mr. Drabek, 7696 Cecilia Drive: Commented on the Charter. Discussed problems with deer and coyotes.

John Switzer, 4553 Ocala: Charter comments. (Charter not needed)

Judy Bollinger, Regency Drive: Discussed problems with deer and coyotes.

MISCELLANEOUS COMMENTS

Mayor DeGeeter – Stated that the VA Hospital's Outpatient Clinic will begin operations on February 27th. They will plan for an open house in early March. The Economic Summit will be at the OSG Sterling Dye located at 12502 Plaza Drive. Commented on the construction on the Pavilion at Anthony Zielinski Park.

Safety Director – No comment.

Service Director – No comment.

Treasurer – Thanked Council for the reappointment of Sal Talarico to the Municipal Income Tax Board of Review.

Auditor – No comment.

Law Director – Thanked Council for their support on the Ordinance for the E-group and First Energy Solutions for Ries Rink and the Justice Center.

Councilman Brochetti – No comment.

Councilman Casselberry – No comment.

Councilman Day – Commend the Mayor on his letter.

Councilman Divis – No comment.

Councilwoman Galinas – February is Heart Healthy Month.

Councilman Jech – No comment.

Councilwoman Lime – Thanked Council for referring the Ward Boundary legislation back to committee.

Councilman Napoli – Thanked Councilman Day for the discussion on the deer.

Councilman Tuma – Commended Council and the Administration on discussions relative to the first budgets of the year.

Mr. Brennan – Thanked the Mayor, Ms. Roberts and Mr. Culp for keeping Council informed of initiatives and things that are going on. Thanked the Mayor for meeting with him prior to each Council Meeting.

ADJOURNMENT

Motion made by Councilman Day, seconded by Councilman Divis, to adjourn said regular Council Meeting. Motion carried.

CERTIFICATION

I, Kenneth A. Ramser, Clerk of Council for the City of Parma, Ohio, do hereby certify the above to be a true and correct copy of the Minutes from the regular Council Meeting held on Monday, February 6, 2012.

KENNETH A. RAMSER
CLERK OF COUNCIL

SEAN P. BRENNAN
PRESIDENT OF COUNCIL

Meeting adjourned at 9:00 p.m.